



Rhode Island  
Department of Environmental Management

DIVISION OF FISH AND WILDLIFE

Marine Fisheries  
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Jamestown, RI 02835

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June 29, 2012

Steven Hall, Chief  
Division of Law Enforcement  
235 Promenade Street  
Providence, Rhode Island 02908

Re: Prosecutorial Discretion Relative to Enforcement of Annual Lobster  
Tagging Requirements Imposed by RIMFR § 15.14.1-8

Dear Chief Hall:

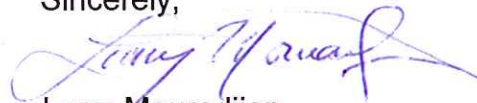
It is my understanding that the sole source provider of lobster trap tags, the Stoffel Seals Corporation, has recently encountered a substantial mechanical failure that has prevented Stoffel from providing in a timely manner the 2012 lobster trap tags that are regulatorily required to be posted on all deployed traps on or before June 1, 2012. Given that a number of lobster harvesters submitted timely applications for the required tags, I suggested in a letter to you dated May 31, 2012 that you instruct the staff of the Division of Law Enforcement to exercise prosecutorial discretion and elect not to issue any citations for alleged violations of Section 15.14.1-8 of the *Rhode Island Marine Fisheries Regulations* until June 30, 2012 if the alleged violation arises solely on the basis that the lobster traps display tags issued for the year 2011 rather than 2012.

This office has been advised that the mechanical problems persist at the Stoffel and that, as result, NOAA has elected to extend until July 15, 2012 its own determination to exercise prosecutorial discretion to refrain from issuing any

citations for alleged violations arising solely on the basis that the lobster traps display tags issued for the year 2011 rather than 2012.

Given Stoffel's continuing mechanical difficulties and in order to ensure consistency with federal enforcement efforts concerning this issue, I suggest that you instruct the staff of the Division of Law Enforcement to exercise prosecutorial discretion and elect not to issue any citations for alleged violations of Section 15.14.1-8 of the *Rhode Island Marine Fisheries Regulations* until July 15, 2012 if the alleged violation arises solely on the basis that the lobster traps display tags issued for the year 2011 rather than 2012.

Sincerely,



Larry Mouradjian  
Associate Director